

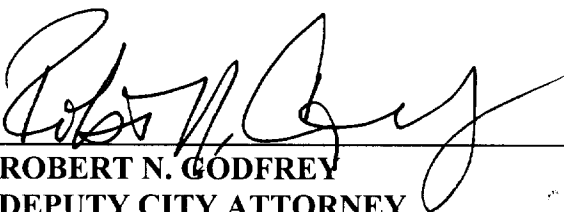
Entered - 01/15/02 - sb
CL02L0025 - DIANNE C. MITCHELL

CLAIM OF: **KOUAME MARC individually and parent of
BELLY MARC, a minor,
through their attorney,
William D. Holman
1355 Peachtree Street, Suite 1000
Atlanta, Georgia 30309**

02-*ℓ*-0292

For damages alleged to have been sustained as a result of a vehicular
accident on October 13, 2001 at Metropolitan Parkway and Fair
Drive.

THIS ADVERSED REPORT IS APPROVED

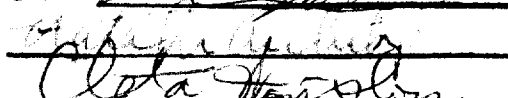
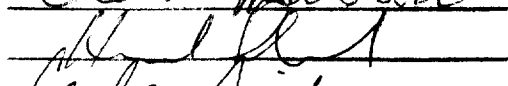
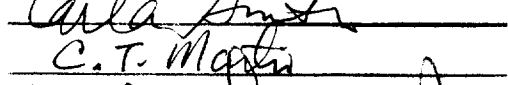
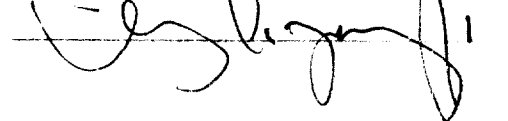
BY: 
**ROBERT N. GODFREY
DEPUTY CITY ATTORNEY**

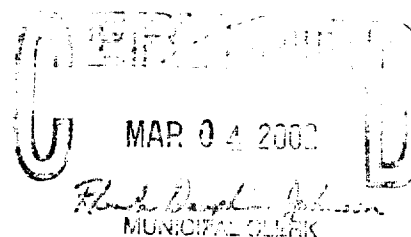
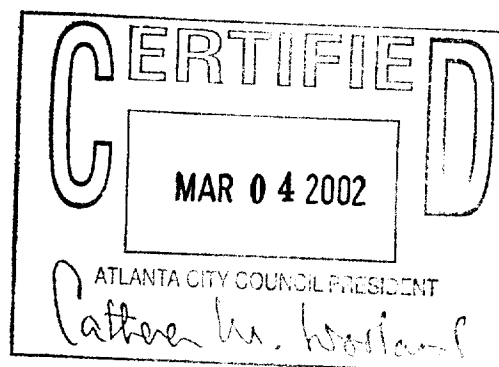
ADVERSE REPORT

COMM: _____

DATE: _____

CHAIR: _____



APPROVED MAR 04 2002



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

March 14, 2002

William D. Holman
Attorney at Law
1355 Peachtree Street
Suite 1000
Atlanta, GA 30309

02-R-0292

RE: Kouame Marc individually and parent
of Belly Marc, a minor

Dear Attorney Holman:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on March 4, 2002. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0025

Date: February 8, 2002

Claimant /Victim KOUAME MARC individually and parent of BELLY MARC, a minor
BY: (Atty) William D. Holman
Address: 1355 Peachtree Street, Suite 1000, Atlanta, Georgia 30309
Subrogation: Claim for Property damage \$ Bodily Injury \$ Not Stated
Date of Notice: 01/10/02 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 10/13/01 Place: Metropolitan Parkway and Fair Drive
Department Police Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimants allege they were injured in a vehicular accident with a vehicle during a police chase. The investigation determined that the accident was caused when the driver of a stolen vehicle who was eluding police drove left of the center line and collided with the vehicle in which the claimant's were occupying. There was no negligence on the part of the City or its employees in causing this accident.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report X Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other X Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager:  Concur/date 02-11-02
Committee Action: Council Action

RCS# 3550
3/04/02
1:31 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs.1-12;Except02-R-0348;02-R-0350;0380
02-R-0387;02-R-0347;02-O-0364;02-O-0249
ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

ITEM (S) REMOVED FROM
CONSENT AGENDA
02-O-0364
02-O-0380
02-O-0249

CONSENT I

**ITEMS ADOPTED
ON CONSENT
AGENDA**

1. 02-O-0370
2. 02-O-0155
3. 02-O-0200
4. 02-O-0243
5. 02-O-0374
6. 02-O-0371
7. 02-O-0372
8. 02-R-0348
9. 02-R-0350
10. 02-R-0387
11. 02-R-0199
12. 02-R-0209
13. 02-R-0353
14. 02-R-0367
15. 02-R-0383
16. 02-R-0386
17. 02-R-0327
18. 02-R-0328
19. 02-R-0329
20. 02-R-0330
21. 02-R-0331
22. 02-R-0333
23. 02-R-0334
24. 02-R-0339
25. 02-R-0325
26. 02-R-0326
27. 02-R-0345

**ITEMS ADOPTED
ON CONSENT
AGENDA**

28. 02-R-0203
29. 02-R-0365
30. 02-R-0315
31. 02-R-0316
32. 02-R-0317
33. 02-R-0318
34. 02-R-0319
35. 02-R-0320
36. 02-R-0321
37. 02-R-0322
38. 02-R-0323
39. 02-R-0284
40. 02-R-0285
41. 02-R-0286
42. 02-R-0287

**ITEMS ADVERSE
ON CONSENT
AGENDA**

43. 02-R-0288
44. 02-R-0289
45. 02-R-0290
46. 02-R-0291
47. 02-R-0292
48. 02-R-0293
49. 02-R-0294
50. 02-R-0295
51. 02-R-0296
52. 02-R-0297
53. 02-R-0298
54. 02-R-0299
55. 02-R-0301
56. 02-R-0302
57. 02-R-0303
58. 02-R-0304
59. 02-R-0305
60. 02-R-0306
61. 02-R-0307
62. 02-R-0308
63. 02-R-0309
64. 02-R-0310
65. 02-R-0311
66. 02-R-0312
67. 02-R-0313
68. 02-R-0314